

Appln. No. 10/782,064
Amendment dated September 1, 2005
Reply to Office Action mailed June 1, 2005

REMARKS

Reconsideration is respectfully requested.

Claims 1 and 3 through 7 remain in this application. Claim 2 has been cancelled. No claims have been withdrawn. Claim 8 has been added.

Paragraphs 1 through 4 of the Office Action

Claims 1 through 6 have been rejected under 35 U.S.C. §102(b) as being anticipated by Benson et al.

Claims 1 through 5 have been rejected under 35 U.S.C. §102(b) as being anticipated by Brummer.

Claim 1, particularly as amended, requires the combination of "a valve override system" and "a gate valve assembly comprising a casing having openings for connection to an inlet conduit and an outlet conduit, and a gate movable in said casing between an open position and a closed position to block a fluid path between the inlet opening and the outlet opening, said gate having a bottom edge", and "an engagement means engaging the lower edge of said gate of said gate valve assembly such that said engagement means urges said gate of said gate valve assembly from said closed position toward said open position to allow fluid to pass through said gate valve assembly".

It is submitted that the cited Benson and Brummer patents, alone or in any allegedly obvious combination, would not lead one skilled in the art to the applicant's invention as required by claim 1. Further, claims 3 through 6, which depend from claim 1, also include the requirements discussed above and therefore are also submitted to be in condition for allowance.

Withdrawal of the §102(b) rejections of claims 1 and 3 through 6 is therefore respectfully requested.

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CONCLUSION

In light of the foregoing amendments and remarks, early reconsideration and allowance of this application are most courteously solicited.

Respectfully submitted,

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